

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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REMI LABA,

Plaintiff,

v.

JBO WORLDWIDE SUPPLY PTY LTD,

Defendant/Third-Party Plaintiff.

v.

REMI LABA, MARTIN BERGH, WAYNE BEBB,  
IAIN BANNER, ROOIBOIS LIMITED,  
NATURALLY OUT OF AFRICA PERFECTLY  
NATURAL PTY LTD, NOAA CALIFORNIA,  
LLC, and JOHN DOES 1-5,

Third-Party Defendants.  
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**ORDER REGULATING  
PROCEEDINGS**

20 Civ. 3443 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

On November 18, 2021, Plaintiff Remi Laba and Defendant JBO Worldwide Supply Pty Ltd (“JBO” or “Defendant”) submitted a letter, pursuant to Rule 2E of my individual rules, concerning a discovery dispute (ECF No. 157). I rule as follows:

Defendant’s motion is granted. Plaintiff has the obligation both to respond to defendant’s Rule 34 requests and to make productions, and should have done so by August 30, 2021 or within a short time thereafter. Plaintiff may not wait until the close of fact discovery—November 30, 2021—to make production.

Plaintiff's objections are over-ruled. Documents must be produced 'as they are kept in the usual course of business or . . . to correspond to the categories in the request.' Fed. R. Civ. P. 34(b)(2)(E)(i). Plaintiff must produce all responsive documents, and may not refuse to produce documents claimed to be in Defendant's possession, or not identified in a privilege log conforming to Federal and Local Rules.

If Plaintiff does not cure his default, and make full production, by December 8, 2021, Plaintiff risks a dismissal of his case

SO ORDERED.

Dated: November 24, 2021  
New York, New York

/s/ Alvin K. Hellerstein  
ALVIN K. HELLERSTEIN  
United States District Judge